

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 28

Introduced by Assembly Member Huber

December 6, 2010

An act to amend Sections 4004, 8051, and 8052 of, to repeal Section 495 of, to repeal Chapter 3 (commencing with Section 2600) of Division 2 of, and to repeal Article 3 (commencing with Section 8000) of Chapter 4 of Division 3 of, the Vehicle Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 28, as amended, Huber. ~~State agencies: repeal.~~ *Commercial vehicles: Reciprocity Commission.*

Existing law establishes the Reciprocity Commission composed of the Lieutenant Governor, the Director of Motor Vehicles, the Director of Transportation, the Controller, and the Commissioner of the California Highway Patrol for the purpose of, among other things, entering into agreements with foreign jurisdictions that provide for the exemption of fees for commercial vehicles if the foreign jurisdictions provide equivalent exemptions to vehicles registered in California.

Existing law authorizes the Reciprocity Commission to enter into agreements on behalf of the State of California with the duly authorized representatives of any foreign jurisdiction providing for the registration of vehicles on an apportionment or allocation basis and to enter into, and become, a member of the International Registration Plan Agreement developed by the American Association of Motor Vehicle Administrators.

Existing law authorizes the state, in administering the International Registration Plan, to collect all appropriate registration and license fees due other jurisdictions. Existing law provides that foreign

jurisdictions that are members of the agreement are authorized to collect all appropriate registration and license fees due to the State of California, and remit those fees to this state pursuant to the terms of the agreement.

Existing law requires the Director of Motor Vehicles to provide such assistance to the commission as it may require.

This bill would delete all references to the “Reciprocity Commission” and instead substitute the Director of Motor Vehicles, who would administer the terms and conditions of the International Registration Plan and collect all appropriate registration and license fees due other jurisdictions.

Existing law establishes the Joint Sunset Review Committee for the purpose of identifying and eliminating waste, duplication, and inefficiency in government agencies and conducting a comprehensive analysis of every “eligible agency,” as defined, to determine if the agency is still necessary and cost effective. Existing law defines an “eligible agency” as an entity of state government, however denominated, for which a date for repeal has been established by statute on or after January 1, 2011. Existing law requires the committee to take public testimony and evaluate the eligible agency prior to the date the agency is scheduled to be repealed, and requires that an eligible agency be eliminated unless the Legislature enacts a law to extend, consolidate, or reorganize the agency.

This bill would declare the intent of the Legislature to enact legislation that would establish repeal dates for various agencies for the purpose of increasing the number of agencies that meet the definition of an “eligible agency” that is eligible for review by the Joint Sunset Review Committee.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 495 of the Vehicle Code is repealed.*
- 2 *495. The “reciprocity commission” is the commission*
- 3 *empowered to enter into reciprocity agreements.*
- 4 *SEC. 2. Chapter 3 (commencing with Section 2600) of Division*
- 5 *2 of the Vehicle Code is repealed.*
- 6 *SEC. 3. Section 4004 of the Vehicle Code is amended to read:*

1 4004. (a) (1) Commercial motor vehicles meeting the
2 registration requirements of a foreign jurisdiction, and subject to
3 registration but not entitled to exemption from registration or
4 licensing under any of the provisions of this code or any
5 agreements, arrangements, or declarations made under Article 3
6 (commencing with Section 8000) of Chapter 4, may, as an alternate
7 to registration, secure a temporary registration to operate in this
8 state for a period of not to exceed 90 days, or a trip permit to
9 operate in this state for a period of four consecutive days.

10 (2) Each trip permit shall authorize the operation of a single
11 commercial motor vehicle for a period of not more than four
12 consecutive days, commencing with the day of first use and three
13 consecutive days thereafter. Every permit shall identify, as the
14 department may require, the commercial motor vehicle for which
15 it is issued. Each trip permit shall be completed prior to operation
16 of the commercial motor vehicle on any highway in this state and
17 shall be carried in the commercial motor vehicle to which it applies
18 and shall be readily available for inspection by a peace officer.
19 Each permit shall be valid at the time of inspection by a peace
20 officer only if it has been completed as required by the department
21 and has been placed in the appropriate receptacle as required by
22 this section. It is unlawful for any person to fail to comply with
23 the provisions of this section.

24 (b) The privilege of securing and using a trip permit or a
25 temporary registration not to exceed 90 days shall not extend to
26 the following:

27 (1) Any vehicle which is based within this state and which is
28 operated by a person having an established place of business within
29 this state. For purposes of this paragraph, a commercial motor
30 vehicle shall be considered to be based in this state if it is primarily
31 operated or dispatched from or principally garaged or serviced or
32 maintained at a site with an address within this state.

33 (2) Vehicles registered in any jurisdiction with which the State
34 of California does not have vehicle licensing reciprocity, unless
35 the ~~Reciprocity Commission~~ *director* extends the privilege, by
36 rule, after hearing.

37 (c) Any trailer or semitrailer identified in paragraph (1) of
38 subdivision (a) of Section 5014.1 that enters the state without a
39 currently valid license plate issued by California or another

1 jurisdiction shall be immediately subject to full identification fees
2 as specified in subdivision (e) of Section 5014.1.

3 *SEC. 4. Article 3 (commencing with Section 8000) of Chapter*
4 *4 of Division 3 of the Vehicle Code is repealed.*

5 *SEC. 5. Section 8051 of the Vehicle Code is amended to read:*

6 8051. ~~The Reciprocity Commission~~ director may enter into
7 ~~agreement~~ agreements on behalf of this state with the duly
8 authorized representatives of any foreign jurisdiction providing
9 for the registration of vehicles on an apportionment or allocation
10 basis.

11 *SEC. 6. Section 8052 of the Vehicle Code is amended to read:*

12 8052. (a) ~~The Reciprocity Commission~~ director may, on behalf
13 of the state, enter into, and become, a member of the International
14 Registration Plan Agreement developed by the American
15 Association of Motor Vehicle Administrators. ~~The commission~~
16 director may adopt rules and regulations necessary to carry out
17 the provisions of the International Registration Plan or other
18 apportioned registration agreements entered into under the authority
19 of this article.

20 (b) In administering the International Registration Plan, the state
21 may collect all appropriate registration and license fees due other
22 jurisdictions. Foreign jurisdictions ~~which~~ that are members of the
23 agreement shall be authorized to collect all appropriate registration
24 and license fees due to the State of California, and remit the fees
25 to this state pursuant to the terms of the agreement.

26 ~~SECTION 1. It is the intent of the Legislature to enact~~
27 ~~legislation that would establish repeal dates for various agencies~~
28 ~~for the purpose of increasing the number of agencies that are an~~
29 ~~“eligible agency” subject to review by the Joint Sunset Review~~
30 ~~Committee as that term is defined in subdivision (a) of Section~~
31 ~~9147.7 of the Government Code.~~